

CONFIDENTIAL - ATTORNEYS' EYES ONLY

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VOLUME: I
PAGES: 1-191
EXHIBITS: 115-132

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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GEN-PROBE INCORPORATED,

Plaintiff,

v.

C.A. No.

VYSIS, INC.,

99CV2668 H (AJB)

Defendant.

----- X

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DEPOSITION of JAMES C. RICHARDS

March 30, 2001

9:51 a.m.

Westin Hotel

70 Third Avenue

Waltham, Massachusetts

Reporter: Michael D. O'Connor, RPR

2025 RELEASED

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1 Q. What follows in the four or five
2 sentences after that CIP --

3 A. Right. -- is describing the subject
4 matter of the CIP, isn't it?

5 A. This would have been conversations
6 with Janiuk or something like that, as I said,
7 verbal discussions. I didn't read this thing.

8 Q. You didn't read what?

9 A. This application. I asked Tony --
10 see, we had a file, the MOI file, and this was
11 in it, and it was something we needed to pursue,
12 along with the others that were in this letter.

13 Q. The four or five sentences that follow
14 after the statement that a CIP application was
15 filed about a year later --

16 A. Yes.

17 Q. -- was your understanding of the
18 method of amplification taught in the CIP
19 application; is that correct?

20 A. Say that question again.

21 Q. The details of the amplification
22 process that are set forth there, that's your
23 understanding of the amplification method set
24 forth in the column CIP that claimed target

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1 CERTIFICATE

2 Commonwealth of Massachusetts

3 Suffolk, ss.

4
5 I, Michael D. O'Connor, Registered
6 Professional Reporter and Notary Public in and
7 for the Commonwealth of Massachusetts, do hereby
8 certify that JAMES C. RICHARDS, the witness
9 whose deposition is hereinbefore set forth, was
10 duly sworn by me and that such deposition is a
11 true record of the testimony given by the
12 witness.

13 I further certify that I am neither related
14 to or employed by any of the parties in or
15 counsel to this action, nor am I financially
16 interested in the outcome of this action.

17 In witness whereof, I have hereunto set my
18 hand and seal this 2nd day of April, 2001.

19
20 *Michael D. O'Connor*
21 Notary Public

22
23 My commission expires
24 October 26, 2001

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